

Remarks

Claim 2 has been amended to include the verbatim phrasing of allowed claim 29 and is allowable for the same reasons on which the allowability of claim 29 is based. Claims 3 - 6 and 8 – 12 depend directly or indirectly on claim 2 and are allowable therewith and for the additional features recited therein.

Claims 33 – 36, 42 – 52, 54, 57, 61 – 69, 76 – 82 and 92, which were restricted by species election, are now allowable by dependence directly or indirectly on allowed generic claim 29.

Claims 1, 13 – 28, and 83 – 89, which were cancelled without prejudice, are reintroduced as new claims 93 – 116. Claims 93 – 109 are method claims. Claim 93 is verbatim cancelled claim 1 which has been amended to include the structural elements of allowed claim 29, as follows:

93. (new) A method of using a moldable sheath and using a shaping tool comprising:

providing a moldable sheath with sufficient moldability to at least temporarily retain a specific shape in a body cavity selectively imparted to it by a user by bending of the sheath along its length and by using the shaping tool which is arranged and configured to impart the specific shape to the sheath while within the body cavity, which specific shape is held;

implanting the sheath within a body cavity;

molding the implanted sheath to the specific shape, which specific shape is held without continued assistance of a shaping tool; and

utilizing the implanted sheath for a medical procedure.

Claim 94 is verbatim cancelled claim 13, which has been amended to include the structural elements of allowed claim 29, as follows:

94. (new) A method of using a moldable sheath and using a shaping tool comprising:

providing a moldable sheath capable of at least temporarily retaining a specific shape imparted to it when implanted in a body cavity by a user by bending of the sheath along its length and by using the shaping tool which is arranged and configured to impart the specific shape to the sheath while within the body cavity, which specific shape is held;

implanting the sheath within a body cavity;

molding the implanted sheath to the specific shape while within the body cavity, which specific shape is held without continued assistance of a shaping tool; and

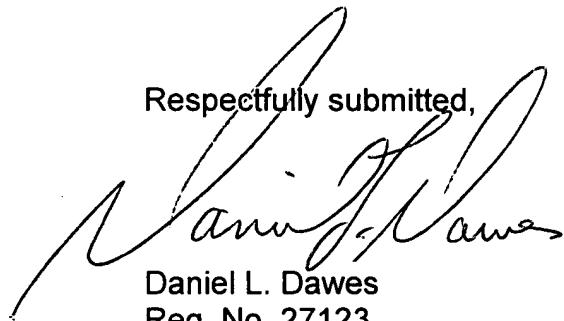
utilizing the implanted sheath for a medical procedure within the body cavity while the sheath is in the specific shape.

Claims 110 – 116 are verbatim cancelled apparatus claims 83 – 89 without amendment. Upon reviewing the content of these claims, applicant respectfully contends that the inclusion of a steerable, shaping tool arranged and configured to be applied to the implanted sheath to impart the specific shape to the sheath while within the body cavity, which specific shape is held without continued assistance of the shaping tool renders claim 110 allowable for the

same ground on which claim 29 was allowed. Claims 111 – 116 depend directly or indirectly on claim 110 and are allowable therewith and for the features additional claimed therein.

The applicant respectfully requests advancement of the claims to issuance.

Respectfully submitted,



Daniel L. Dawes
Reg. No. 27123
949 223 9600
fax 949 223 9610

Mailing Address:
Daniel L. Dawes
5252 Kenilworth Dr.
Huntington Beach, California 92649